IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 18801 of 2007(L)

PETITIONER:

M.V.SUSHEELA, W/O.T.BALAKRISHNAN (LATE)
AGED 54, RESIDING AT THAIKKOOTTATHIL HOUSE,
PULLIPARAMBA P.O., CHELAMBARA, MALAPPURAM
DISTRICT.

BY ADV. SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR

RESPONDENTS:

1. ASST.EDUCATIONAL OFFICER,
PARAPPANANGADI, MALAPPURAM DISTRICT.

2. T.SUDHEER, S/O.T.SUBRAMANYAN, AGED 30,
RESIDING AT THAIKKOOTTATHIL HOUSE,
PULLIPARAMBA P.O., CHELAMBARA, MALAPPURAM
DISTRICT.

BY ADV. SRI.A.SUDHI VASUDEVAN

G.P. SHRI.T.T.MUHAMOOD.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C).No.18801/07.

APPENDIX

PETITIONER'S EXHIBITS:

P1. COPY OF THE PROCEEDINGS DTD.20.9.86.

P2. COPY OF THE DEATH CERTIFICATE DTD.16.6.06.

P3. COPY OF THE LEGAL HEIR CERTIFICATE DTD.30.9.06.

P4. COPY OF THE LETTER DTD.5.10.06 BY R1.

P5. COPY OF THE REPRESENTATIONS BEFORE SECRETARY TO GOVT., GENERAL EDUCATION DEPT.

P6. COPY OF THE -DO-.

P7. COPY OF THE REPRESENTATION DTD.1.1.07.

Sdk+

///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

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W.P.(C).No.18801 of 2007

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Dated this the 18th day of September, 2007

J U D G M E N T

The petitioner claims to be one of the legal heirs of late T.Balakrishan, who was the manager of the S.V.A.School, Chelambra. There is a dispute regarding succession to the property and managership of the school, since the 2nd respondent raised a claim on the basis of a will alleged to have been executed by the father of late Balakrishnan. The petitioner therefore filed Ext.P7 before the 1st respondent for appropriate orders regarding management of the school so that the school can be administered smoothly and the petitioner seeks a direction to the 1st respondent to consider and pass appropriate orders on the same. However, the learned Government Pleader submits that in view of the dispute which has now arisen, the matter has been referred to the Director of Public Instructions, for appropriate orders.

In the above circumstances, I feel that it is only appropriate that the Director of Public Instructions considers the matter appropriately and passes orders thereon. Accordingly, I direct the Director of Public Instructions, Thiruvananthapuram, to consider the matter which is stated to have been referred to him, and pass appropriate orders thereon, as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioner as well as the 2nd respondent. The petitioner shall produce a copy of the writ petition along with a certified copy of this judgment before the Director of Public Instructions for due compliance.

The writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.